

Acknowledgement is made of the interview conducted on August 30, 2001 with Mr. Sidney B. Williams, Jr. of our office. In the comments, it is suggested that the claims be limited to define the article, the powder and the sizes. Applicants respectfully submit that the powder and the sizes are already defined in some of the dependent claims. Moreover, as repeatedly pointed out in the prosecution record of the present application, none of the prior art references disclose a skin contacting article in which a natural organic impalpable powder is firmly adhered to a side of a base layer and contacts with skin. Due to the impalpable powder being made from a natural organic material, it is easy to adhere to the base layer, has a good feel on the skin and is less likely to cause skin irritation.

The Mellul et al reference only discloses a powdered cosmetic composition consisting of an anhydrous powder and mainly includes a solid particulate phase mixed with a fatty binder containing a silicone mixture. There is no suggestion in this reference regarding the powdered cosmetic composition being firmly adhered to an applicator. Additionally, the present claims require that the powder be made of a natural organic material while the pigments used in the cosmetic composition of Mellul et al are chosen from inorganic and/or organic pigments and/or pearlescent pigments, which are not considered to be natural organic materials. Therefore, the prior art cited by the Examiner does not disclose the use of a natural organic impalpable powder and the firmly adhering of the powder to a base layer.

Respectfully submitted,


Terrance F. Chapman

TFC/smd

FLYNN, THIEL, BOUTELL	Dale H. Thiel	Reg. No. 24 323
& TANIS, P.C.	David G. Boutell	Reg. No. 25 072
2026 Rambling Road	Ronald J. Tanis	Reg. No. 22 724
Kalamazoo, MI 49008-1699	Terryence F. Chapman	Reg. No. 32 549
Phone: (616) 381-1156	Mark L. Maki	Reg. No. 36 589
Fax: (616) 381-5465	David S. Goldenberg	Reg. No. 31 257
	Sidney B. Williams, Jr.	Reg. No. 24 949
	Liane L. Churney	Reg. No. 40 694
	Brian R. Tumm	Reg. No. 36 328
	Tricia R. Cobb	Reg. No. 44 621

Encl: Marked-Up and Clean Amended Claim 17
New Claims 30-41

136.9803



17. (Amended) A skin contacting article used in contact with the skin, said article comprising a base layer and natural organic impalpable powder firmly adhered to a side of the base layer which contacts with the skin by a treatment including the natural organic impalpable powder, the treatment ~~consisting of~~ comprising the natural organic impalpable powder and at least one dispersion medium selected from the group consisting of water, an organic solvent, a resin emulsion and a resin aqueous solution.



clean Amended Claim 17
Yinoshita Case 209

U.S. Serial No. 09/341 328

Ant
Q2
cl

17. (Amended) A skin contacting article used in contact with the skin, said article comprising a base layer and natural organic impalpable powder firmly adhered to a side of the base layer which contacts with the skin by a treatment including the natural organic impalpable powder, the treatment comprising the natural organic impalpable powder and at least one dispersion medium selected from the group consisting of water, an organic solvent, a resin emulsion and a resin aqueous solution.



30. (New) The skin contacting article according to Claim 17, wherein the treatment additionally contains a surface active agent.

31. (New) The skin contacting article according to Claim 30, wherein the surface active agent is an ionic surface active agent or a non-ionic surface active agent.

32. (New) The skin contacting article according to Claim 30, wherein the surface active agent is a polyethylene oxide derivative or a sucrose fatty ester.

C²
33. (New) The skin contacting article according to Claim 17, wherein the treatment additionally contains a thickening agent.

34. (New) The skin contacting article according to Claim 33, wherein the thickening agent is a cellulose derivative or a natural macromolecule thickening agent.

35. (New) The skin contacting article according to Claim 34, wherein the cellulose derivative is methyl cellulose or hydroxyethyl cellulose and the natural macromolecule thickening agent is selected from the group consisting of a gum, a pectin, soda alginate, dextrin, agar and gelatin.

36. (New) The skin contacting article according to Claim 21, wherein the treatment additionally includes a surface active agent.

37. (New) The skin contacting article according to Claim 36, wherein the surface active agent is an ionic surface active agent or a non-ionic surface active agent.

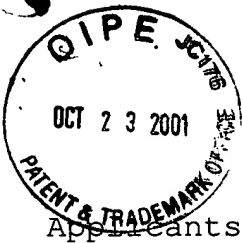
38. (New) The skin contacting article according to Claim 36, wherein the surface active agent is a polyoxyethylene derivative or a sucrose fatty ester.

39. (New) The skin contacting article according to Claim 21, wherein the treatment additionally includes a thickening agent.

40. (New) The skin contacting article according to Claim 39, wherein the thickening agent is a cellulose derivative or a natural macromolecule thickening agent.

41. (New) The skin contacting article according to Claim 40, wherein the cellulose derivative is methyl cellulose or hydroxyethyl cellulose and the natural macromolecule thickening agent is selected from the group consisting of a gum, a pectin, soda alginate, dextrin, agar and gelatin.

C²
concell.



PATENT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE

October 23, 2001

Applicants : Satoshi MIKAMI et al
Title : SKIN CONTACTING ARTICLE
Serial No. : 09/341 328 Group: 1615
Filed : July 6, 1999 Examiner: Pulliam
International Application No.: PCT/JP98/00080
International Filing Date : January 13, 1998
Atty. Docket No.: Kinoshita Case 209

RECEIVED
JAN 23 2002
TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Herewith is an amendment in the above-identified application.

[X] The additional filing fee has been calculated as shown below:

For	No. Filed	No. Extra	(X) LG Entity	RATE	() SM Entity	Fee
Basic Fee				\$740.00	\$370.00	\$
Total Claims	(30 - 20 = 10)		x	\$ 18.00	x \$ 9.00	180.00
Indep. Claims	(3 - 3 = 0)		x	\$ 84.00	x \$ 42.00	
[] Multiple Dep. Claim			+	\$280.00	+	\$140.00
* * * TOTAL FILING FEE * * *						\$ 180.00

[X] A Check for \$920.00 is enclosed to cover fees.

[X] Please credit any overpayment, or charge any additional filing fee or application processing fee required under 37 CFR 1.16 or 1.17 by this communication, to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

IN DUPLICATE

Respectfully submitted,

TFC/smd


Terryence F. Chapman Reg. No. 32 549

Encl: Listed above